

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

COMMUNITY CREDIT UNION,)
Plaintiffs,)
) **Civil Action File**
No: 4:05CV285
v.)
))
NATIONAL CREDIT UNION)
ADMINISTRATION, JOANN)
JOHNSON, and JANE WALTERS,)
Defendants.)

**MOTION OF THE TEXAS COALITION
FOR CREDIT UNION MEMBERS
FOR LEAVE TO SUBMIT BRIEF AS AMICUS CURIAE**

NOW COMES the Texas Coalition for Credit Union Members, Inc. (hereinafter “the Coalition”), by and through its attorneys, and moves for leave to file a brief as *amicus curiae* in support of Defendant National Credit Union Administration.

INTEREST OF AMICUS CURIAE

The Coalition is a nonprofit, Texas corporation working to help preserve the rights and voices of credit union members who are concerned about the operation of their credit unions. The Coalition is particularly worried that directors and management of credit unions have begun to use credit union conversion schemes to walk away with millions of dollars in credit union equity that rightfully belongs

At present, the Texas Coalition for Credit Union Members is made up largely of disenfranchised members of Community Credit Union (hereinafter "CCU"). As shareholders in the mutually-owned credit union, these members-owners have a vital ownership interest in the present proceeding. If the Board of CCU can successfully side-

step the supervision of the Congressionally authorized regulatory agency, the member-owners of CCU will suffer a direct, immediate, and dramatic reduction in their ownership interests and rights. For many member-owners, the proposed conversion will strip away nearly all of their ownership interests in Community Credit Union, an institution these member-owners spent years building. Should CCU be allowed to convert despite its failure to comply with federal regulations, many members of the Coalition will suffer a reduction in their ownership interest and voting power of up to ninety-seven and one-half percent (97.5%).

ARGUMENT

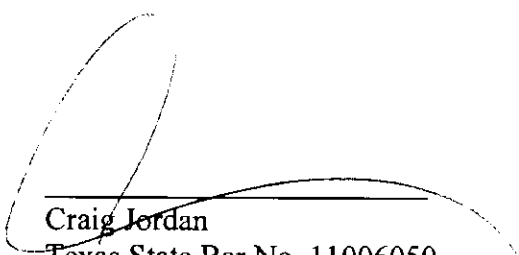
In seeking to appear as *amicus curiae*, the Texas Coalition for Credit Union Members wishes to represent the interests of the parties who may be injured by the outcome of the present litigation. As the intended recipients of the federally-mandated disclosures which lie at the heart of this dispute, the members of the Coalition will be able to document and clarify the importance of these disclosures. The Coalition wishes to submit arguments that CCU's disclosures failed to comply with applicable standards for consumer protection disclosures and demonstrate that NCUA acted in accordance with legal precedent. In support of this argument, the Coalition will discuss briefly the standards historically relied upon by judges when analyzing violations of federally-mandated, consumer protection disclosures.

Conclusion

For the foregoing reasons, the Texas Coalition for Credit Union Members respectfully requests that their petition be GRANTED and that they be permitted to

submit the attached brief as *amicus curiae* in the above-captioned matter.

Respectfully submitted this 16th day of August, 2005.



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on August 16, 2005 on all counsel of record who are deemed to have consented to electronic service via the Court's CM/EFT system per Local Rule CV-5(a)(3). Any other counsel or record will be served by telecopy and U.S. Mail.

/s/

A handwritten signature in black ink is written over a horizontal line. The signature is a stylized, cursive letter 'L' that loops back under the line and extends to the right.